

Mark D. Selwyn (CA SBN 244180)  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
2600 El Camino Real, Suite 400  
Palo Alto, California 94306  
Telephone: (650) 858-6000  
Facsimile: (650) 858-6100  
Mark.Selwyn@wilmerhale.com

William F. Lee (*pro hac vice*)  
Louis W. Tompros (*pro hac vice*)  
Dominic E. Massa (*pro hac vice*)  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
Telephone: (617) 526-6000  
Facsimile: (617) 526-5000  
William.Lee@wilmerhale.com  
Louis.Tompros@wilmerhale.com  
Dominic.Massa@wilmerhale.com

Amanda L. Major (*pro hac vice*)  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
1875 Pennsylvania Avenue NW  
Washington, DC 20006  
Telephone: (202) 663-6000  
Facsimile: (202) 663-6363  
Amanda.Major@wilmerhale.com

David C. Marcus (CA SBN 158704)  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
350 S. Grand Avenue, Suite 2100  
Los Angeles, CA 90071  
Telephone: (213) 443-5300  
Facsimile: (213) 443-5400  
David.Marcus@wilmerhale.com

*Attorneys for Defendant*  
INTEL CORPORATION

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

VLSI TECHNOLOGY, LLC,  
  
Plaintiff,  
  
v.  
  
INTEL CORPORATION,  
  
Defendant.

Case No. 5:17-cv-05671-BLF-NC

**DECLARATION OF MARK D. SELWYN IN  
SUPPORT OF DEFENDANT INTEL  
CORPORATION'S ADMINISTRATIVE  
MOTION TO FILE DISCOVERY LETTER  
BRIEF UNDER SEAL**

1 I, Mark D. Selwyn, do hereby declare as follows:

2 1. I am a partner at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP  
3 (“WilmerHale”), counsel for Intel Corporation (“Intel”) in this case. I am licensed to practice law in  
4 the State of California, the Commonwealth of Massachusetts, and the State of New York, and I am  
5 admitted to practice before the U.S. District Court for the Northern District of California.

6 2. I am familiar with the facts set forth herein, and, if called as a witness, I could and  
7 would testify competently to those facts under oath. I submit this declaration in support of Intel’s  
8 Administrative Motion to File Parties’ Discovery Letter Brief Under Seal, pursuant to Civ. L.R. 7-11  
9 and 79-5.

10 3. Intel has highlighted in yellow the portions of the discovery letter brief that it seeks to  
11 seal.

12 4. Intel seeks to seal confidential financial terms of agreements with third parties and  
13 information that could potentially reveal the financial terms from agreements between Intel and third  
14 parties. The terms and conditions of Intel’s agreements with third parties are highly confidential to  
15 Intel and the third parties that entered into agreements with Intel.

16 5. Intel seeks to seal VLSI’s discussion on page 5 of a monetary range VLSI  
17 characterizes as relating to certain Intel agreements listed in a prior paragraph. Public disclosure of  
18 information regarding the types of payment terms from Intel’s agreements could negatively affect  
19 Intel’s future licenses and settlements and negotiations for such agreements. Competitors and  
20 potential counterparties to licensing, acquisition, and settlement agreements would gain an unfair  
21 insight into Intel’s business strategies and cost/benefit analyses. Using knowledge of the precise  
22 substantive and financial terms of previously nonpublic agreements, competitors, and potential  
23 counterparties would be able to calibrate their negotiation strategies with Intel using that unfair  
24 advantage.

25 6. Intel also seeks to seal the names of certain third parties on pages 1-2 and 4-5 with  
26 which Intel has agreements. Intel only seeks to seal the names of third parties where the existence of  
27 Intel’s agreement with that third party is not publicly known. The names of the third parties with  
28 which Intel has these agreements is maintained in confidence by Intel, and Intel is under

